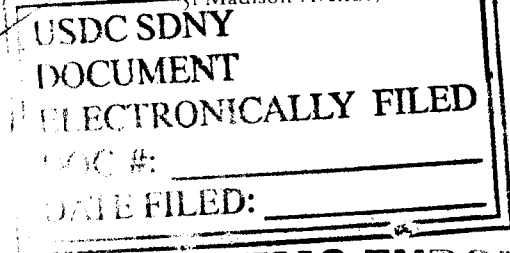


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August 15, 2006

VIA FACSIMILE**MEMO ENDORSED**
The Honorable Colleen McMahon
United States Magistrate Judge
United States District Court, Southern District of New York
300 Quarropas Street, Room 533
White Plains, New York 10601-4150Re: Leighton Tech., LLC v. Oberthur Card Sys., S.A., et al.
Case No. 04 Civ. 02496 (CM)

Dear Judge McMahon:

Trial won't be until March. Let's schedule it now + work backward for discovery issues.
Please appear for a conference on 9/5/06 at 11:00 A.M.
The parties respectfully submit this joint letter regarding the Court's schedule as it relates to the trial of this case.

The Court previously indicated a desire to conduct trial in late fall, and the parties are continuing to work to meet that schedule (the current Scheduling Order provides for a November 2006 trial date). In the event that the Court's calendar had changed, however, the parties would like to take that into consideration to assist in their planning of the remaining fact and expert discovery. If, on the other hand, the Court is in a position to set a trial date for early November 2006, we would like to confirm this so that we can lock down witness availability and address other logistical concerns. Leighton currently estimates that trial will take approximately 10 trial days, Oberthur estimates that trial will take approximately 15 trial days.

Accordingly, the Parties respectfully inquire whether or not the Court still anticipates that this matter will be tried in November.

Respectfully submitted,

Edward J. DeFranco
Quinn Emanuel Urquhart Oliver & Hedges, LLP
Counsel for Defendants
Robert A. Gutkin
Sutherland Asbill & Brennan LLP
Counsel for Plaintiff

cc: Magistrate Judge Lisa Margaret Smith

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